

September 24, 2008

The Honorable Robert Byrd, Chairman Committee on Appropriations United States Senate Hart Senate Office Building, Room 311 Washington, DC 20510

The Honorable Thad Cochran, Ranking Member Committee on Appropriations United States Senate Dirksen Senate Office Building, Room 113 Washington, DC 20510

RE: Fiscal Year 2009 Buffer Zone Protection Program Funding

Dear Chairman Byrd and Ranking Member Cochran,

We are writing to express our collective concern with recent actions taken by the Committee on Appropriations of the United States House of Representatives. On June 24, 2008, the Committee approved more than \$42 billion in homeland security appropriations for Fiscal Year 2009. While this draft legislation represented an increase in funding for some programs, it eliminated others, labeling them duplicative. Most notable of these is the Buffer Zone Protection Program (BZPP) grant program. If this action of the House Committee on Appropriations is not corrected, a program that is vital to the protection of our nation's critical infrastructure and key resources (CI/KR) will be lost.

When it comes to the protection of critical infrastructure through grant funding, the BZPP provides valuable funding that is not available otherwise to ensure the security and risk-management of CI/KR. While other homeland security grants allow for the use of funding to secure CI/KR, there is no requirement for states, territories, and urban areas to devote a specific percentage of funding or even any funding toward the security of that infrastructure. The Buffer Zone Protection Program has been critical to building capabilities at the state and local level to secure chemical facilities, financial institutions, nuclear and electric power plants, dams, stadiums, and other high-risk/high-consequence facilities. The BZPP has also provided state and local jurisdictions with the much needed resources to fill gaps identified by vulnerability assessments and other requirements of the national Infrastructure Protection Plan. It is, therefore, quite troubling to both the private sector owner/operators of CI/KR and to the state homeland security advisors charged with developing plans for the protection of our CI/KR, that there have been efforts to eliminate this successful national program which has, over the past four years, driven targeted planning and security enhancements for the nation's highest-level CI/KR.

In many cases, the BZPP process represents the first time that all stakeholders have been brought together to discuss and identify security gaps and to develop security plans that clearly delineate roles and responsibilities regarding protecting and securing CI/KR. The collaboration of federal, state, local law enforcement (LLE), and facility owners brings about significant site improvements, security

enhancements, and increased preparedness. The collaborative relationships fostered through the BZPP process will have long-lasting impacts on the security and protection of our national CI/KR. Furthermore, while other DHS grants encourage multi-jurisdictional and regional planning efforts, this is the only program that is specifically designed to develop public/private partnership security planning.

The BZPP has provided several successes in critical infrastructure including, but not limited to, the areas of chemical, nuclear, natural gas, transit, locks and dams, major sports complexes, bridges, and other major sites. One major success made possible by BZPP funding is the enhancement and protection efforts made to a major metropolitan are liquefied natural gas (LNG) import facility. Local and state agencies worked together using BZPP funds to purchase closed-circuit television (CCTV) cameras compatible with the U.S. Coast Guard, the Highway Patrol, and the city's CCTV systems; a mobile command post; communications equipment; and dive equipment and training for the joint state and local law enforcement dive team. The cameras allow for extensive CCTV coverage of the LNG facility, and the cameras and dive team equipment provide coverage for the entire route of the LNG transport vessel. This is just one of numerous BZPP successes nationwide.

Due to the changes by the House Committee on Appropriations, state and local entities may lose the BZPP funding or receive drastic cuts in funding. BZPP funding has been and continues to be essential to protecting our nation's critical infrastructure. An additional important consideration is that the BZPP funds were originally appropriated under the Office of Infrastructure Protection (OIP). The funding was then transferred to the grants office for ease of management, but remained a stand-alone program. OIP's ability to meet its obligation to protect the nation's critical infrastructure would be seriously undermined by eliminating the funds meant to reduce specific vulnerabilities. We would like to emphasize the need for continued funding for the BZPP for Fiscal Year 2009 and urge you to ensure that the BZPP is dedicated a minimum of \$50 million to continue protecting these sites.

Sincerely,

Matthew Bettenhausen

Chairman

Governors Homeland Security Advisors Council